



DEPARTMENT OF THE NA
OFFICE OF NAVAL RESEARCH
800 NORTH QUINCY STREET
ARLINGTON, VA 22217-5660

IN REPLY REFER TO

27 October 1994

MEMORANDUM FOR COUNSEL, OFFICE OF NAVAL RESEARCH

Subj: DELEGATION OF AUTHORITY

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Ref: (a) 10 U.S.C. 5022
(b) SECNAVNOTE 5430 of 4 Dec 92
(c) OCNRINST 5216.B of 24 Oct 91

1. Pursuant to references (a) and (b) this memorandum reaffirms the handwritten delegation of authority to the Corporate Counsel by J. B. Mooney, Jr., Chief of Naval Research, that has been in effect since 22 August 1986. That authority is restated and augmented as follows. You are authorized to:

a. Sign the following official correspondence by "functional title" and "By direction" as appropriate:

(1) Memoranda to the Office of Legislative Affairs providing comments on behalf of the Office of Naval Research (ONR) on proposed legislation.

(2) Freedom of Information Act (FOIA), Privacy Act, and other statistical reports.

(3) Responses to the General Accounting Office and General Services Administration Board of Contract Appeals on bid protests.

(4) Legal documents related to proceedings before the Merit Systems Protection Board and Equal Employment Opportunity Commission.

(5) FOIA releases.

(6) Correspondence involving patents, inventions, trademarks, copyrights, royalty payments, and matters connected therewith, unless precluded by paragraph 6b of reference (c).

b. Sign other documents necessary to:

(1) Execute applications for Foreign Letters Patent where title to such applications is in the United States of America as represented by the Secretary of the Navy.

(2) Execute applications for United States Patent where the United States of America as represented by the Secretary of the Navy has title to or sufficient proprietary

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interest in the inventions covered by such applications as to warrant the filing under Title 35, United States Code, section 118.

(3) Grant licenses under inventions owned by the United States of America as represented by the Secretary of the Navy.

(4) Enter into agreements on behalf of the Navy for the purchase of rights in inventions, patents and copyrights, to settle claims of patent and copyright infringement, and to settle claims for damages resulting from imposition of Secrecy Orders on patent applications.

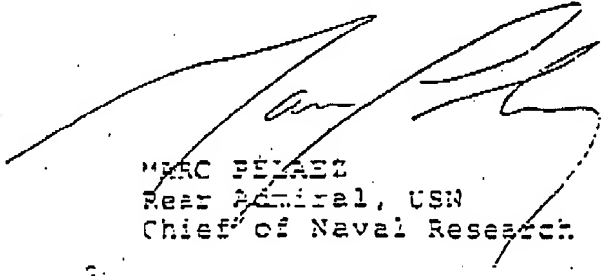
(5) Appoint attorneys for the purpose of filing and prosecuting patent applications in which the United States of America as represented by the Secretary of the Navy has an interest either by way of title or license and to sign the necessary powers of attorney.

(6) Accept by your signature, on behalf of the United States of America as represented by the Secretary of the Navy, licenses or assignments to inventions, patents, and applications for patents.

(7) Execute by direction of the Secretary of the Navy all certifications of information, papers, documents and records furnished by the Department of the Navy in compliance with a call of the court in any cause arising from or based upon an invention, patent, copyright or any interest in or right under an invention, patent or copyright.

c. Redesignate authorities identified in 1a(6) and 1b to the Deputy Counsel (Intellectual Property) and other responsible personnel in the Office of Counsel, and authority to redesignate those authorities identified in 1b to other responsible Navy personnel consistent with the integration of the Navy Patent Organization into the Office of the General Counsel.

d. Redesignate authorities identified in 1a(2) and (4) to other responsible personnel in the Office of Counsel.



MARC PELAEZ
Rear Admiral, USN
Chief of Naval Research

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DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL RESEARCH
ARLINGTON, VIRGINIA 22217-5000

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MEMORANDUM FOR COUNSEL, NAVAL AIR SYSTEMS COMMAND
COUNSEL, NAVAL SEA SYSTEMS COMMAND
COUNSEL, SPACE AND NAVAL WARFARE SYSTEMS COMMAND
COUNSEL, STRATEGIC SYSTEMS PROJECT OFFICE
COUNSEL, JOINT CRUISE MISSILES PROJECT
COUNSEL, SPECIAL PROJECTS DIVISION
COUNSEL, EUROPEAN BRANCH

Subj: DELEGATION OF AUTHORITY

Ref: (a) SECNAV memo of 23 Dec 85; subj: Reorganization of
Patent Lawyers

1. The purpose of this memorandum is to delegate authorities to Offices of Counsel within the Office of the General Counsel to enable them to effectively implement Navy patent policy in accordance with reference (a) and conduct an effective patent program for the Navy.

2. The following authorities are delegated to addressees with authority to redelegate to senior attorneys registered to practice before the U.S. Patent and Trademark Office (PTO):

a. To make charges against the Office of the Chief of Naval Research's (OCNR) deposit account in the PTO for the conduct of official Navy business in the PTO. This authority may be delegated to no more than two senior patent attorneys in any one office. (So proper notification may be made to the PTO of the individuals authorized to make charges against the OCNR's deposit account in the PTO, addressees should notify the undersigned as soon as possible of the names of the individuals to whom the authority is to be redelegated).

b. To investigate, deny or recommend settlement of administrative claims for infringement of patents or copyrights. All settlement agreements must be approved by and signed in the OCNR.

c. To make application for registration of trademarks for Navy marks and to file oppositions to applications for registration of conflicting marks by others, and to make all decisions affecting those proceedings. (All declarations in accordance with 37 CFR §2.20 and appointment of attorneys of record must be forwarded to OCNR Code OOCCL for signature by the Chief of Naval Research (CNR) or, in the absence of the CNR, by his Deputy).

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3. The following authorities are delegated to addressees and should be redelegated to the senior patent attorney or his alternate at each naval activity:

a. To file applications for patents and Statutory Invention Registrations (SIRs) in the PTO and to make all decisions affecting the prosecution of these applications.

b. To evaluate Navy inventions and make determinations of the type of protection (patent, SIR or publication), if any, required by the Navy for inventions originating at their respective naval activities and contractors. (This is an interim delegation and its effectiveness will be reviewed by the OCNR after a sufficient trial period. Addressees are encouraged to either recommend continuation of this delegation or to submit proposed revisions of the delegation to the OCNR for consideration.)

c. To determine rights in inventions made by Navy employees in accordance with Executive Order 10096 and 37 CFR Part 100. All reports and documents to be submitted to the Patent and Trademark Office (PTO) in support of those rights determinations will be submitted to the Deputy Counsel (Patents), OCNR, or his designee for review and transmittal to the PTO.

4. The following authority is delegated to addressees without authority to redelegate:

a. To appoint attorneys to continue prosecution of applications for patents and SIRs and transact all business in the PTO connected therewith in cases where the originally appointed attorneys are not available.

5. The Navy position on regulations and legislation dealing with intellectual property matters shall be formulated in OCNR. Addressees are invited and encouraged to present their views and the views of their client activities to the OCNR for consideration.

6. It is our intention to maintain a smoothly running and effective patent program for the Navy. The delegations contained herein are intended to meet these goals. Comments and recommendations based on operating experience under the delegations contained herein will be invited.

Charles J. McManus
CHARLES J. McMANUS
Corporate Counsel
By direction of
Chief of Naval Research

Copy to:
Associate General Counsel (Management)

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Cover
Page

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